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APPLICATION NO		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/816,007		03/31/2004	Timothy A. Hindle	H00039931622	9568	
128	7590	02/17/2005		EXAM	EXAMINER	
HONEYWELL INTERNATIONAL INC.			SCHWARTZ, CHRISTOPHER P .			
P O BOX 2		AD	•	ART UNIT	PAPER NUMBER	
MORRIST	OWN, N	07962-2245		3683	0	
				DATE MAIL ED: 02/17/200	•	

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.	Applicant(s)
10/816,007	HINDLE ET AL.
Examiner	Art Unit
Christopher P. Schwartz	3683

•		Christopher P. Schwartz	3683	
	The MAILING DATE of this communication app	•	orrespondence ac	Idress
Period fo	or <b>Reply</b> ORTENED STATUTORY PERIOD FOR REPLY			
THE   - External after   - If the   - If NO   - Failu   Any I	MAILING DATE OF THIS COMMUNICATION.  nsions of time may be available under the provisions of 37 CFR 1.13  SIX (6) MONTHS from the mailing date of this communication.  period for reply specified above is less than thirty (30) days, a reply of period for reply is specified above, the maximum statutory period we tree to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nety filed s will be considered time the mailing date of this c D (35 U.S.C. § 133).	ly. ommunication.
Status				
1)⊠	Responsive to communication(s) filed on 30 No	ovember 2004.		
2a)⊠	This action is <b>FINAL</b> . 2b) This	action is non-final.		
3)	Since this application is in condition for allowar	nce except for formal matters, pro	secution as to the	e merits is
	closed in accordance with the practice under E	•		
Dispositi	ion of Claims			
4)🖂	Claim(s) 1-25 is/are pending in the application.		•	
	4a) Of the above claim(s) is/are withdraw	vn from consideration.		
5) 🗌	Claim(s) is/are allowed.			
6)⊠	Claim(s) 1-25 is/are rejected.			
7)[	Claim(s) is/are objected to.			
8)	Claim(s) are subject to restriction and/or	r election requirement.		
Applicati	ion Papers			
9) 🔲	The specification is objected to by the Examine	r.		
10)	The drawing(s) filed on is/are: a) acce	epted or b) objected to by the B	Examiner.	
	Applicant may not request that any objection to the			
	Replacement drawing sheet(s) including the correcti	•	* *	FR 1,121(d).
11)	The oath or declaration is objected to by the Ex			• •
Priority ι	ınder 35 U.S.C. § 119			
12) 🔲	Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	-(d) or (f).	
	☐ All b) ☐ Some * c) ☐ None of:			$\bigcap$
	1. Certified copies of the priority documents	s have been received.		^ / /
	2. Certified copies of the priority documents	s have been received in Applicati	on No	(1 )
	3. Copies of the certified copies of the prior	ity documents have been receive	ed in this National	Stage
	application from the International Bureau	ı (PCT Rule 17.2(a)).		(
* 8	See the attached detailed Office action for a list	of the certified copies not receive	d.	PRIMARY DESIGNATION OF THE PRIMARY DESIGNATION O
Attachment	• •		/ <i>\\\\</i>	TOPMARY
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Da	(PTO-413) \dif	PRIM.
3) 🔲 inform	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application (PTC	D-152)

1) Notice of References	Cited (	(PTO-892)
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U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)

Application/Control Number: 10/816,007

Art Unit: 3683

#### **DETAILED ACTION**

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#### Claim Objections

1. Claims 1-25 are objected to because of the following informalities: In the independent claims last line it appears from the discussion the specification that "weight" should be changed to "mass". Appropriate correction is required.

#### Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
- 3. Claims 1-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. '070 in view of Kawamata or Jones.

Regarding claims 1,16 and 21, as broadly claimed, Davis discloses a damper and isolator with which applicants are well familiar and upon which the present invention seems to be based.

Lacking is a discussion of the effective fluid mass and how this parameter may be adjusted to function as a fourth "tunable" parameter.

It is notoriously well known in the art to tune fluid mounts and dampers to damp specific vibrational frequencies by varying the respective areas of fluid chambers, the cross sectional areas of fluid passages, the areas of pistons etc. and/or the use of different density fluids to create, change, or make use of a fluid inertia effect. This is generally taught by Kawamata in column 4 or Jones in column 7 lines 37-50. Note the discussion of the "fluid slug" throughout the specification of Jones.

The ordinary skilled worker in the art would have it obvious to have adjusted at least one of these well known variable parameters in the device of Davis, as taught by either Kawamata or Jones, to provide a damper which makes use of fluid inertia to isolate a specific range of vibrations.

Regarding the rest of the claims these requirements are met in view of the explanation given above and due to the strong similarity of the features of the instant application with the Davis patent.

### Response to Arguments

4. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in 5. this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

- 6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited have been cited for showing similar concepts. Note the references to Matsui et al. and Sugino et al. for their specific discussions of using the properties of fluids to create a damping effect. See also the discussion in Davis col 2 lines25-28.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Schwartz whose telephone number is 703-308-0576. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Bucci can be reached on 703-308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cps 2/16/05